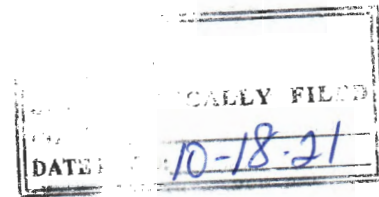


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x  
UNITED STATES OF AMERICA,



-against-

98-cr-1023 (LAK)

MAMDOUH M. SALIM,

Defendant.  
----- x

**ORDER**

LEWIS A. KAPLAN, *District Judge.*

Defendant moves for reconsideration of the order of February 19, 2021 [Dkt 2172] (the “Order”) or, in the alternative, for a certificate of appealability.

The motion is granted to the extent that the Court acknowledges that its reference in the Order to attorney Louis Fasulo as defendant’s attorney of record as of the date of the Order was mistaken. Mr. Fasulo was substituted into 98-cr-1023 as counsel for the defendant under the Criminal Justice Act (the “CJA”) on December 12, 2016. On May 8, 2019, however, the Court entered an order of *nolle prosequi* that disposed of all pending indictments against this defendant. Dkt. 2114. As Mr. Fasulo was appointed as CJA counsel for the defendant, and as this criminal case against the defendant and therefore defendant’s right to CJA counsel ended with the entry of the *nolle*, Mr. Fasulo’s role as counsel for the defendant ended at the same time. He no longer was counsel to the defendant on the date of the Order.

So far as defendant seeks the Court’s intervention with respect to the FBI’s alleged mishandling of his mail is concerned, there is no basis for it. **This criminal case is over.** Any claim with respect to the FBI or defendant’s mail may be raised in a new civil proceeding filed in an appropriate venue.

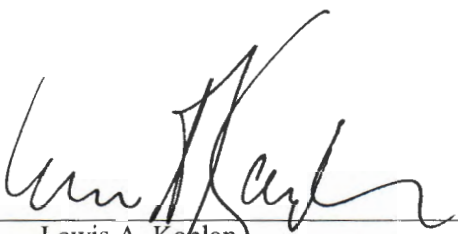
As neither this order nor the Order has been issued in a proceeding under 28 U.S.C. § 2255, there is neither need for nor any basis to issue a certificate of appealability.

Accordingly, the motion for reconsideration or, alternatively, a certificate of appealability is denied in all respects save the correction of the error noted above.

The Clerk shall mail a copy of this order to the defendant.

SO ORDERED.

Dated: October 18, 2021

  
\_\_\_\_\_  
Lewis A. Kaplan  
United States District Judge